

**SUPREME COURT MINUTES
WEDNESDAY, SEPTEMBER 17, 2008
SAN FRANCISCO, CALIFORNIA**

S018637**PEOPLE v. HOVARTER
(JACKIE RAY)**

The petition for rehearing is denied

S164614 C057766 Third Appellate District
Petition for review granted (criminal case)

PEOPLE v. S.C. (SPARKS)

The petition for review is granted.

The parties also are directed to brief and address: Is *People v. Taylor* (1974) 12 Cal.3d 686, still good law, or should that decision be overruled or disapproved?

Votes: George, C. J., Kennard, Werdegarr, Chin, and Corrigan, JJ.

S164928 C054605 Third Appellate District

**STEINER (MARTIN A.) v.
THEXTON****(PAUL)/(SIDDIQUI****FAMILY PARTNERSHIP)**

Petition for review granted (civil case)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Moreno, and Corrigan, JJ.

S165113 B189133 Second Appellate District, Div. 2

**LOS ANGELES UNIFIED
SCHOOL DISTRICT v.
GREAT AMERICAN
INSURANCE COMPANY**

Petition for review granted (civil case)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S165522 C051311 Third Appellate District

**BARNETT (LEE MAX) v. S.C.
(PEOPLE)**

Petition for review granted (criminal case)

The petitions for review are granted.

On the court's own motion, review is also ordered on the issue of whether Penal Code section 1054.9 is unconstitutional as an invalid amendment of Proposition 115.

We invite amicus briefing on this latter issue from interested organizations, including, but not limited to, the Criminal Justice Legal Foundation, the Habeas Corpus Resource Center, the Office of the State Public Defender, and the California District Attorneys Association.

Pursuant to California Rules of Court, rule 8.520(a)(6), the People are deemed the petitioner in this court for purposes of briefing and argument.

Kennard, J., was recused and did not participate.

Votes: George, C. J., Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S165906 B204354 Second Appellate District, Div. 5 **HAWORTH (RANDAL D.) v. S.C. (OSSAKOW)**

Petition for review granted (civil case)

The petition for review is granted.

The parties are directed to brief the following additional issue: What is the proper standard of review of an order vacating an arbitration award based on an arbitrator's purported failure to disclose grounds for disqualification?

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S165264 G039301 Fourth Appellate District, Div. 3 **SMITH (RICHARD LEE) ON H.C.**

Review granted/briefing deferred (8.512(d)(2) criminal case)

The petition for review is granted.

Further action in this matter is deferred pending finality of *In re Lawrence* (Aug. 21, 2008, S154018) __Cal.4th__ [2008 WL 3863606] (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S118650 **GRIFFIN (DONALD) ON H.C.**

OSC issued, returnable in Superior Court (Atkins claim)

The Director of the Department of Corrections and Rehabilitation is ordered to show cause in the Fresno County Superior Court, when the matter is placed on calendar, why petitioner's death sentence should not be vacated and petitioner sentenced to life imprisonment without the possibility of parole on the ground that he is mentally retarded within the meaning of *Atkins v. Virginia* (2002) 536 U.S. 403, as alleged in Claim H of the petition for writ of habeas corpus, filed September 2, 2003. (See *In re Hawthorne* (2005) 35 Cal.4th 40.)

All other claims set forth in the petition are denied on their merits. Claim D is procedurally barred, separately and independently, on the ground that it could have been, but was not, raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S143165 B183545 Second Appellate District, Div. 1 **DAHMS (ROBERT) v.
DOWNTOWN POMONA
PROPERTY AND BUSINESS
IMPROVEMENT DISTRICT**

Transferred to Court of Appeal, Second Appellate District, Division One, after hold
The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *Silicon Valley Taxpayers' Assn., Inc. v. Santa Clara County Open Space Authority* (2008) 44 Cal.4th, 431 (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S114347 **ARIAS (PEDRO) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed March 17, 2003, is denied.

Claims I through XXX are denied on the merits.

Claims I through XXVI, and Claim XXX, are barred as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 780-781 (*Robbins*); *In re Clark* (1993) 5 Cal.4th 750, 782-798 (*Clark*).)

Claims XVI and XVIII.B are barred as forfeited in that they could and should have been, but were not, raised in the trial court. (*In re Seaton* (2004) 34 Cal.4th 193, 200 (*Seaton*).) Justice Werdegar would not apply the *Seaton* bar to these claims.

Claims IV, V, VI, VIII, X (except to the extent it alleges ineffective assistance of counsel), XIII.A.2, and XIII.A.3, are barred as forfeited because they could and should have been, but were not, raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756; see *In re Harris* (1993) 5 Cal.4th 813, 829-841 (*Harris*).)

Claims I, II, III, V, VI, VII, VIII, X, XI.A, XI.B, XI.D, XI.H, XI.I.1, XI.I.4, XI.K, XI.N, XI.O, XI.P, XII.A, XIII.A.2, XIII.A.3, XIII.B, XIII.E, XIV, XVI, XVII, XVIII.B, XIX, XXI.A, XXII.B.2, XXII.B 10, XXII.D, XXIII.A, XXIII.B, XXIII.C, XXIII.D, XXIII.E, XXIII.F, XXIII.G, XXIV, and XXV, are barred as successive, in that they could and should have been, but were not, raised on habeas corpus previously. (*Robbins, supra*, 18 Cal.4th at p. 788, fn. 9; *Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547.)

Claims I, II, III, VII, IX, XIII.A.1, XIII.B, XIV, XV (except to the extent it alleges ineffective assistance of counsel), XVII, XIX, XXI.A, XXI.B (except to the extent it alleges ineffective assistance of counsel), XXIII.A, XXIII.B, XXIII.C, XXIII.D, XXIII.E, XXIII.F, XXIII.G, XXIV, and XXV, are barred as repetitive in that they were raised and rejected on appeal. (*In re Waltreus* (1965) 62 Cal.2d 218, 225, and *Harris, supra*, 5 Cal.4th at pp. 824-829.)

Claims IV, IX, XI.C, XI.E, XI.F, XI.G, XI.I.2, XI.I.3, XI.I.5, XI.J, XI.L, XI.M, XI.Q, XII.B, XIII.A.1, XIII.C, XIII.D, XV (to the extent it alleges ineffective assistance of counsel), XVIII.A,

XVIII.C, XXI.B (to the extent it alleges ineffective assistance of counsel), XXII.A, XXII.B.1, XXII.B.3, XXII.B.4, XXII.B.5, XXII.B.6, XXII.B.7, XXII.B.8, XXII.B.9, XXII.B.11, XXII.B.12, XXII.C, and XXX, are barred as repetitive in that they were raised and rejected in petitioner's first petition for writ of habeas corpus (S050843). (*In re Miller* (1941) 17 Cal.2d 734, 735.)

Claims XXXI and XXXII are denied as premature, without prejudice to renewal after an execution date is set.

To the extent Claim IX alleges insufficiency of the evidence, it is not cognizable on habeas corpus. (*In re Lindley* (1947) 29 Cal.2d 709, 723.)

S136487

**DEMETRULIAS (GREGORY
SPIROS) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus is denied.

All claims are denied on the merits.

Claim 7, insofar as it alleges prosecutorial misconduct, and claim 14 (except for its part (f)), are also denied on the ground that they were raised and rejected on appeal. (*In re Harris* (1993) 5 Cal.4th 813, 829-841; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

Claim 14, part (f), is also denied on the ground that it could have been, but was not, raised on appeal. (*In re Harris, supra*, 5 Cal.4th at p. 825, fn. 3; *In re Dixon* (1953) 41 Cal.2d 756.)

S163969

B191254/B192451/B193068

Second Appellate District, Div. 8

PEOPLE v. JONES (TRIYON)

Petitions for review denied

S164582

B198347 Second Appellate District, Div. 7

**CASO (CHRISTOPHER) v.
NIMROD PRODUCTIONS,
INC.**

Petition for review denied

S164712

H030428 Sixth Appellate District

**PEOPLE v. GARCIA
(CHRISTIAN ANTONIO)**

Petitions for review denied

S164822

B207954 Second Appellate District, Div. 5

**MONTEON (ALFREDO) ON
H.C.**

Petition for review denied

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| S164843 | B193519 Second Appellate District, Div. 8 | PEOPLE v. STEELE (TERRANCE) |
| Petition for review denied | | |
| S164865 | A115498/A121426 First Appellate District, Div. 3 | PEOPLE v. VERDUZCO (JUAN) |
| Petition for review denied | | |
| S164944 | B201957 Second Appellate District, Div. 3 | FINK (DAVID) v. MORENO, BECERRA & GUERRERO, INC. |
| Petition for review denied | | |
| S164979 | F055481 Fifth Appellate District | SPRUELL (VINCENT L.) ON H.C. |
| Petition for review denied | | |
| S164999 | F052885 Fifth Appellate District | PEOPLE v. MORALES |
| (JULIO | | CESAR) |
| Petition for review denied | | |
| S165006 | F052698 Fifth Appellate District | PEOPLE v. GARCIA (SALVADOR) |
| Petition for review denied | | |
| S165011 | B196189 Second Appellate District, Div. 5 | PEOPLE v. VILLA (ALFREDO) |
| Petitions for review denied | | |
| S165051 | F055249 Fifth Appellate District | VARGAS (JOSEPH) ON H.C. |
| Petition for review denied | | |
| S165066 | G038423 Fourth Appellate District, Div. 3 | PEOPLE v. PHU (ALEX) |
| Petition for review denied | | |

S165091 B200777 Second Appellate District, Div. 3

Petition for review denied
The request to appear as counsel pro hac vice is granted.
The request for judicial notice is denied.

**SOUTHERN CALIFORNIA
REGIONAL RAIL
AUTHORITY v. S.C.
(TUTINO)**

S165112 E046087 Fourth Appellate District, Div. 2

Petition for review denied

**WOODS (CHARLES E.) ON
H.C.**

S165115 D049924 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GANDARA
(ROBERT)**

S165129 E046080 Fourth Appellate District, Div. 2

Petition for review denied

**THOMAS (DALE DANTE) v.
S.C. (PEOPLE)**

S165133 H030458 Sixth Appellate District

Petition for review denied

**PEOPLE v. BAUTISTA
(MARIO ANTONIO)**

S165139 B208162 Second Appellate District, Div. 4
Petition for review denied

CHUMAN (LAOS) ON H.C.

S165140 B199018 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CHAVEZ (JERRY
A.)**

S165159 B208850 Second Appellate District, Div. 2

Petition for review denied

**RODRIGUEZ (ALFREDO) ON
H.C.**

S165188 C053762 Third Appellate District

Petition for review & publication request(s) denied

**SINGH (RAJ) v. LIPWORTH
(STEPHEN)**

S165193 B195211 Second Appellate District, Div. 3

Petition for review denied

**CALIFORNIA GOLF v.
COOPER (PERRY)**

S165199 G038522 Fourth Appellate District, Div. 3

Petition for review denied

B. (SAMUEL), IN RE

S165204 B196846 Second Appellate District, Div. 7

Petition for review denied

**PLACO INVESTMENT LLC.
v. IBARRA (J. VICTOR)**

S165219 B207223 Second Appellate District, Div. 3

Petition for review denied

ALLS (SHAWN) ON H.C.

S165238 E043611 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TAYLOR
(RUSSELL MELVIN)**

S165239 A117039 First Appellate District, Div. 2

Petition for review denied

PEOPLE v. GOOSBY (KEVIN)

S165245 B208648 Second Appellate District, Div. 5

Petition for review denied

SMITH (GARY) ON H.C.

S165252 B207583 Second Appellate District, Div. 8

Petition for review denied

**WELLS (GEORGE WESLEY)
ON H.C.**

S165254 E046109 Fourth Appellate District, Div. 2

Petition for review denied

**GONZALES (IGNACIO) ON
H.C.**

S165292 G040631 Fourth Appellate District, Div. 3

Petition for review denied

Corrigan, J., was recused and did not participate.

**CHEY (SOON W.) v. GMAC
MORTGAGE**

S165308 D051932 Fourth Appellate District, Div. 1

Petition for review & republication request(s) denied

B. (KRISTEN), IN RE

S165310 E046118 Fourth Appellate District, Div. 2

Petition for review denied

**JOHNSON (DAVID WAYNE)
ON H.C.**

S165319 B208985 Second Appellate District, Div. 1

Petition for review denied

**HURTADO (VINCENT RENE)
ON H.C.**

S165330 E046133 Fourth Appellate District, Div. 2

Petition for review denied

**TYLER (ELONZA JESSE) ON
H.C.**

S165386 B209045 Second Appellate District, Div. 2

Petition for review denied

**ZIMMER (STEVEN R.) ON
H.C.**

S165392 F053941 Fifth Appellate District

Petition for review denied

**GALLARDO (SHEILA) v.
WORKERS'
COMPENSATION APPEALS
BOARD (FRESNO COUNTY
DHSS)**

S165423 H031073 Sixth Appellate District

Petition for review denied

**ULWELLING (ERIC
NICHOLAS) v. MELENDEZ
(YOLANDA)**

S165462 A116360 First Appellate District, Div. 4

D.)/(WORD)

Petition for review & depublication request(s) denied
Kennard, J., is of the opinion the petition should be granted.

**OAKLAND, CITY OF v.
HASSEY (KENNY**

S165465 H032856 Sixth Appellate District
ORTIZ)

Petition for review denied

**CAMACHO (MARTIN
ON H.C.**

S165481 B209286 Second Appellate District, Div. 7

Petition for review denied

**SMITH (DAVID THAYNE) ON
H.C.**

S165484 B195281 Second Appellate District, Div. 7

Petition for review denied

**LONG (JAY B.) v. CENTURY
INDEMNITY COMPANY**

S165488 E042674/E043148 Fourth Appellate District, Div. 2 **PEOPLE v. MOORE (KEVIN
JEROME)**

Petitions for review denied

S165500 A118410 First Appellate District, Div. 4

Petition for review denied

**CALIFORNIA PHYSICIANS'
SERVICE v. AOKI DIABETES
RESEARCH INSTITUTE**

S165509 C059032 Third Appellate District

Petition for review and application for stay denied

S165515 D050473 Fourth Appellate District, Div. 1

Petition for review denied

S165520 D051223 Fourth Appellate District, Div. 1

Petition for review denied

S165567 A121914 First Appellate District, Div. 3

Petition for review denied

S165584

Petition for writ of mandate/prohibition denied

S165585 H032133 Sixth Appellate District

Petitions for review denied

S165606 B200921 Second Appellate District, Div. 4

Petition for review denied

S165610 B195418 Second Appellate District, Div. 2

Petition for review & depublication request(s) denied

**STEPHENSON (WILLIAM)
ON H.C.**

**FORD MOTOR CREDIT
COMPANY v. HUNSBERGER
(DENNIS R.)**

**PEOPLE v. LOPEZ
(ALBERTO ZAVALA)**

GILLUM (AARON) ON H.C.

**TAYLOR (MARK JAMES) v.
COURT OF APPEAL, FIRST
APPELLATE DISTRICT,
DIVISION THREE
(HAYWARD POLICE
DEPARTMENT)**

M. (EVELYN), IN RE

**PEOPLE v. ROBINSON
(JAMES)**

**DEUTSCH (NANCY) v.
MASONIC HOMES OF
CALIFORNIA, INC.**

S165639 F054282 Fifth Appellate District

Petition for review denied

**PEOPLE v. BERMUDEZ
(ROLANDO)**

S165713 B205069 Second Appellate District, Div. 8

Petition for review denied

**SCOTT (IRMA) v. WORKERS'
COMPENSATION APPEALS
BOARD (BERGEN
BRUNSWIG DRUG
COMPANY)**

S165715 D049266 Fourth Appellate District, Div. 1

Petition for review denied

**VESCO (KARINA) v. SAN
DIEGO COMMUNITY
CORRECTIONAL CENTER**

S165735 F052336 Fifth Appellate District

Petition for review denied

**PEOPLE v. BURCIAGA
(JAIME AGUILAR)**

S165748 H030594 Sixth Appellate District

Petition for review denied

**PEOPLE v. CASTILLO
(CHRISTOPHER JAMES)**

S165749 B208972 Second Appellate District, Div. 1

Petition for review denied

**GRISSOM (LEVERETT) ON
H.C.**

S165752 B209059 Second Appellate District, Div. 1

Petition for review denied

**GRISSOM (LEVERETT) ON
H.C.**

S165765**SANDER (RICHARD) v.
STATE BAR OF****CALIFORNIA**

The request for judicial notice is granted.

The petition for writ of mandate or other extraordinary relief is denied without prejudice to re-filing in an appropriate court.

Permission to file the "Motion for Leave To Intervene" is denied as moot.

S165805 B196567 Second Appellate District, Div. 8**JONES (MARY) v. U.C.
REGENTS**

Petition for review denied

S165809 A122145 First Appellate District, Div. 2**ZUNIGA (JOHN) v. S.C.
(BRITISH MOTOR CARS
DISTRIBUTORS LTD.)**

Petition for review denied

S165812 B209446 Second Appellate District, Div. 2**SIGNER (STEPHEN) v. S.C.
(MAASO)**

Petition for review denied

S165821 B191329 Second Appellate District, Div. 7**ZABRUCKY (JOHN) v.
MCADAMS (LLOYD)**

Petition for review denied

S165823 B196965 Second Appellate District, Div. 5**PEOPLE v. PARRA
(GUADALUPE MEDINA)**

Petition for review denied

S165826 A122203 First Appellate District, Div. 2**CUNNINGHAM
(ARCHIBALD) v. S.C.****(WANG)**

Petition for review and application for stay denied

S165836 E046289 Fourth Appellate District, Div. 2

Petition for review denied

**CANDRAY (ANTONIO) ON
H.C.**

S165837 A118833 First Appellate District, Div. 2

Petition for review denied

**OSIJO (ADEBOWALE O.) v.
HOUSING RESOURCES
MANAGEMENT, INC.**

S165842 E046208 Fourth Appellate District, Div. 2

Petition for review denied

**FELTS (MARK ANDREW) ON
H.C.**

S165845 A122082 First Appellate District, Div. 4

Petition for review denied

**HARVEY (TRISTAN V.) ON
H.C.**

S165847 B201964 Second Appellate District, Div. 4

Petition for review denied

PEOPLE v. SMITH (IRY M.)

S165849 A115291 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. SORRELL
(ANTHONY)**

S165850 B197767 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. JACKSON
(JASMINE TANISHA)**

S165853 A116762 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MCNEVIN
(RODDY ALLEN)**

S165854 G040677 Fourth Appellate District, Div. 3

Petition for review denied

**VOIGHT (ERNEST
LEONARD) ON H.C.**

S165856 G040714 Fourth Appellate District, Div. 3

Petition for review denied

**VOIGHT (ERNEST
LEONARD) ON H.C.**

S165860 H031967 Sixth Appellate District

Petition for review denied

PEOPLE v. LEWIS (JAMES)

S165863 C053821 Third Appellate District

Petition for review denied

**PEOPLE v. HODGES
(CHRISTOPHER MICHAEL)**

S165868 B197785 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. JUAREZ
(MELCHOR)**

S165872

Petition for writ of mandate/prohibition denied

**SMITH (ROBERT ELIJAH) v.
S.C. (PEOPLE)**

S165874 C056154 Third Appellate District

Petition for review denied

**PEOPLE v. WATKINS
(OTHELL MICHAEL)**

S165875 C055078 Third Appellate District

Petition for review denied

**PEOPLE v. PORRAS
(FREDDY ENRIQUE)**

S165879 H031365 Sixth Appellate District

**PEOPLE v. KNIGHT
(TENACE DEMOND)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court decides *Oregon v. Ice*, No. 07-901.

S165881 B200893 Second Appellate District, Div. 1

**KEMPTON (KIMBERLY) v.
CLARK (MICHELE R.)**

Petition for review denied

The request for judicial notice is denied as unnecessary.

S165883 D051305 Fourth Appellate District, Div. 1

PEOPLE v. ROQUE (ANGEL)

Petition for review denied

S165895 B199611 Second Appellate District, Div. 8

**PEOPLE v. PATTERSON
(DESMOND LEE)**

Petition for review denied

S165899 G039647 Fourth Appellate District, Div. 3

**PEOPLE v. MARTINEZ
(FERNANDO MANUEL)**

Petition for review denied

S165928 B193895 Second Appellate District, Div. 6

**PEOPLE v. SESSING
(NATHAN GREGORY)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

S165934 A118757 First Appellate District, Div. 4

**PEOPLE v. GUTERRES
(LILIAN LOUISA)**

Petition for review denied

S165935 B197448 Second Appellate District, Div. 6

**PEOPLE v. TOMLINSON
(KEITH EVERETT)**

Petition for review denied

S165937 E044006 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. MARRUFO (JOSE ARMANDO)

S165947 C057179 Third Appellate District
(PATRICK

Petition for review denied

**PEOPLE v. KNOTT
MICHAEL)**

S165960 B199174 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. TEJADA
(MIGUEL ANGEL)**

S165965

Petition for writ of mandate/prohibition denied
The request for judicial notice is denied.

**TATE (CLARENCE
DEMETRIUS) v. COURT OF
APPEAL, SECOND
APPELLATE DISTRICT,
DIVISION THREE (PEOPLE)**

S165968

Petition for writ of mandate/prohibition denied

**NAVARRO (BENJAMIN
ALBERTO) v. COURT OF
APPEAL, SECOND
APPELLATE DISTRICT,
DIVISION FIVE (PEOPLE)**

S165972 A121634 First Appellate District, Div. 4

Petition for review denied

**TOLBERT (ORLANDO) v.
HYNES (JOHN KIERAN)**

S165975 B207638 Second Appellate District, Div. 6

**CALMAT CO. DBA VULCAN
MATERIALS COMPANY,
INC. v. S.C. (JACSON)**

Petition for review denied

S165980 F054464 Fifth Appellate District

Petition for review denied

R. (CHARLES), IN RE

S165993 B207233 Second Appellate District, Div. 4

Petition for review denied

**JOHNSON (ANTHONY T.) v.
S.C. (WHETSTONE)**

S166016 B199618 Second Appellate District, Div. 2

Petition for review denied

PEOPLE v. LOPEZ (LETICIA)

S166277

Petition for review denied

**CAMPBELL (LARRY W.) v.
S.C. (LINGAN)**

S166734 B210460 Second Appellate District, Div. 8

Petition for review and application for stay denied

**NOTIS ENTERPRISES, INC. v.
S.C. (CERTAIN
UNDERWRITERS AT
LLOYDS)**

S161666

Petition for writ of habeas corpus denied

FLORES (LOUIS) ON H.C.

S161817

Petition for writ of habeas corpus denied

HEBERT (ROBERT) ON H.C.

S161883

Petition for writ of habeas corpus denied

**RIVERA (ALBERTO JORGE)
ON H.C.**

S161951

**COLEMAN (MALCOLM P.)
ON H.C.**

Petition for writ of habeas corpus denied
S161997

**JACKSON (LAMON
EDWARD) ON H.C.**

Petition for writ of habeas corpus denied

S162041

**PIVOVARNIK (RICHARD
JOHN) ON H.C.**

Petition for writ of habeas corpus denied

S162100

**SIGALA (ISIDRO HUERTA)
ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S162117

ROSE (STEVEN W.) ON H.C.

Petition for writ of habeas corpus denied

S162123

**NORWOOD (CORNELL
TRACY) ON H.C.**

Petition for writ of habeas corpus denied

S162191

OWENS (STEVEN L.) ON H.C.

Petition for writ of habeas corpus denied

S162219

**CABRAL (JOSEPH
EMANUEL) ON H.C.**

Petition for writ of habeas corpus denied

S162263

**COLLIER (DOUGLAS
ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

S162282

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750.)

**JONES (ELLEN MARIE) ON
H.C.****S162283**

Petition for writ of habeas corpus denied

**WILLIAMS (MICHAEL) ON
H.C.****S162300**

Petition for writ of habeas corpus denied

NORMAN (DARREN) ON H.C.**S162301**

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**BURGERS (MICHAEL
LYDELL) ON H.C.****S162340**

Petition for writ of habeas corpus denied

**BRATTON III (HENRY
ROBERT) ON H.C.****S162359
ON**

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller*
(1941) 17 Cal.2d 734.)

**JEFFRIES (ALLEN LYNN)

H.C.****S162376**

Petition for writ of habeas corpus denied

**BRAZILE (ANTONIO) ON
H.C.****S162456**

Petition for writ of habeas corpus denied

ROSS (KEITH E.) ON H.C.

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S162457

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

MCGEE (JAMES COREY) ON H.C.

S162515

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

VAN (QUYEN DAI) ON H.C.

S162517

Petition for writ of habeas corpus denied

DYER (ARTIS) ON H.C.

S162519

Petition for writ of habeas corpus denied

HANSEN (BETTY) ON H.C.

S162521

Petition for writ of habeas corpus denied

LOPEZ (ERNESTO) ON H.C.

S162554

Petition for writ of habeas corpus denied

MARINO (RYAN PAUL) ON H.C.

S162577

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

MILLER (TOMMY) ON H.C.

S162607

Petition for writ of habeas corpus denied

BRANCH (CHARLES) ON H.C.

S162623

Petition for writ of habeas corpus denied

MEZA (JOSE CRUZ) ON H.C.

S162625

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734.)

**JACKSON (STEPHEN) ON
H.C.**

S162626

Petition for writ of habeas corpus denied

PAYAN (MICHAEL) ON H.C.

S162629

Petition for writ of habeas corpus denied

**ROMERO (EDWARD JOE)
ON H.C.**

S162640

Petition for writ of habeas corpus denied

**ALCALA (JOSEPH G.) ON
H.C.**

S162643

Petition for writ of habeas corpus denied

**MORRISON (TRESSA J.) ON
H.C.**

S162654

Petition for writ of habeas corpus denied

**WALLER (GREGORY E.) ON
H.C.**

S162657

Petition for writ of habeas corpus denied

MCINTYRE (PETER) ON H.C.

S162658

Petition for writ of habeas corpus denied

KEO (SOKHEAN) ON H.C.

S162660

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**BALDARAMA (ARMANDO)
ON H.C.**

S162661

Petition for writ of habeas corpus denied

ARZATE (JOSE) ON H.C.

S162665

Petition for writ of habeas corpus denied

ACUNA (GONZALO) ON H.C.

S162679

Petition for writ of habeas corpus denied

**YANDELL (RONALD DEAN)
ON H.C.**

S162681

Petition for writ of habeas corpus denied

(See *In re Miller* (1941) 17 Cal.2d 734.)

TOLIVER (ALFRED) ON H.C.

S162692

Petition for writ of habeas corpus denied

**BLACK (RODERICK T.) ON
H.C.**

S162695

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**COOLEY (BARRY
RENFORD) ON H.C.**

S162714

Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756.)

**SUAREZ (MAHER CONRAD)
ON H.C.**

S162720

Petition for writ of habeas corpus denied
(See *In re Waltreus* (1965) 62 Cal.2d 218.)

**TORRES (ALEJANDRO) ON
H.C.**

S162727

Petition for writ of habeas corpus denied

**MONTANIO (WAYNE) ON
H.C.**

S162729

Petition for writ of habeas corpus denied

**WILSON (GARY ALLEN) ON
H.C.**

S162819

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**WINDFIELD (MICHAEL
JEROME) ON H.C.**

S162822

Petition for writ of habeas corpus denied

**GUERRERO (SANTIAGO) ON
H.C.**

S162824

Petition for writ of habeas corpus denied

FRATUS (JOHN) ON H.C.

S162833

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)

**GEORGE (BYRON G.) ON
H.C.**

S162835

Petition for writ of habeas corpus denied

**SEALS (JACOB OTIS) ON
H.C.**

S162836

Petition for writ of habeas corpus denied

GRICE (JOSEPH) ON H.C.

S162841

Petition for writ of habeas corpus denied

HALL (DEWAYNE) ON H.C.

S162854

Petition for writ of habeas corpus denied

**BAPTISTA (JOEL
JOAQUINE) ON H.C.**

S162861

Petition for writ of habeas corpus denied

**ALEXANDER (DARRION
LARRY) ON H.C.**

S162864

Petition for writ of habeas corpus denied

URIBE (SALVADOR) ON H.C.

S162869

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lessard* (1965) 62 Cal.2d 497, 503.)

**ALLEN (XAVIERRE
DMAWR) ON H.C.**

S162872

Petition for writ of habeas corpus denied

MILLER (TOMMY) ON H.C.

S162873

Petition for writ of habeas corpus denied

**VALDEZ (JOSE LUIS) ON
H.C.**

S162901

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)

JOHNSON (CALVIN) ON H.C.

S162904

Petition for writ of habeas corpus denied

LEON (GILBERT) ON H.C.**S162911**

Petition for writ of habeas corpus denied

**HAYNES (MICHAEL
DEWAYNE) ON H.C.****S162918**

Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)**MARTINEZ (WILSON
AMADEO) ON H.C.****S162922**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**SEXTON (STEVEN A.) ON
H.C.****S162928**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**VALENTINE (DARIEN
ANDRE) ON H.C.****S162929**

Petition for writ of habeas corpus denied

(See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)**THOMPSON (DERRICK) ON
H.C.****S162934**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**WORTHAM (FREDDIE
FERNANDO) ON H.C.**

S162939

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**GUTHRIE (JOHN DOUGLAS)
ON H.C.**

S163155

Petition for writ of habeas corpus denied
(See *In re Waltreus* (1965) 62 Cal.2d 218.)

HINES (RODNEY) ON H.C.

S163172

Petition for writ of habeas corpus denied

**LARSEN (EDWARD VICTOR)
ON H.C.**

S163176

Petition for writ of habeas corpus denied

**MOORE (CHRISTOPHER L.)
ON H.C.**

S163825

Petition for writ of habeas corpus denied
(See *In re Miller* (1941) 17 Cal.2d 734.)

**YANDELL (RONALD DEAN)
ON H.C.**

S164687

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750.)

**MONTANIO (WAYNE) ON
H.C.**

S164696

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**WORTHAM (FREDDIE
FERNANDO) ON H.C.**

S165819

Petition for writ of habeas corpus denied

**WORTHAM (FREDDIE
FERNANDO) ON H.C.**

S165905

Petition for writ of habeas corpus denied

**ZIMMERMAN (MICHAEL)
ON H.C.**

S165974

Petition for writ of habeas corpus denied

**CHANLEY (CRAIG F.) ON
H.C.**

S165999

Petition for writ of habeas corpus denied

ELGUERA (JOSE) ON H.C.

S166038

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**WORTHAM (FREDDIE
FERNANDO) ON H.C.**

S166041

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**WORTHAM (FREDDIE
FERNANDO) ON H.C.**

S166084

Petition for writ of habeas corpus denied

**THOMAS (DANIEL J.) ON
H.C.**

S166106

Petition for writ of habeas corpus denied

**FORDJOUR (CHARLES) ON
H.C.**

S166178

Petition for writ of habeas corpus denied

PINA (JERMAINE) ON H.C.**S166273**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**WORTHAM (FREDDIE
FERNANDO) ON H.C.****S165798**

B205474 Second Appellate District, Div. 8

**H. (AMANDA) v. S.C. (LOS
ANGELES COUNTY
DEPARTMENT OF
CHILDREN & FAMILY
SERVICES)**

Publication ordered (case closed)

On the recommendation of the Court of Appeal pursuant to rule 8.1120(c) of the California Rules of Court, the Reporter of Decisions is directed to publish the opinion in the above-entitled appeal in the Officials Reports.

S165893**ARIAS (APOLONIO) v. S.C.
(PEOPLE)**

Publication ordered (case closed)

The request for an order directing publication of the opinion in the above-entitled appeal is granted.

The Reporter of Decisions is directed to publish the opinion in the above-entitled appeal in the Officials Reports. (See rule 8.1120(c), California Rules of Court.)

S165282

A118822 First Appellate District, Div. 5

**HART (PHILLIP) v.
GIANNINI (JOSEPH B.)**

Publication request denied (case closed)

S165328

A121443 First Appellate District, Div. 4

**GAOAY (LIZA JANE) v. S.C.
(MALOY)**

Publication request denied (case closed)

S165605 H032114 Sixth Appellate District
SEMICONDUCTOR

Depublication request denied (case closed)
Chin and Corrigan, JJ., were recused and did not participate.

CYPRESS

CORPORATION v. S.C.
(SILVACO DATA SYSTEMS)

S165764 G038478 Fourth Appellate District, Div. 3

Depublication request denied (case closed)

OLSEN (MARGARET) v.
REID (LYNN R.)

S164844 B199166 Second Appellate District, Div. 4

The time for granting or denying review in the above-entitled matter is hereby extended to
October 23, 2008.

PEOPLE v. DOUNG
(SOVANMANY)

S165137 B195959 Second Appellate District, Div. 2

The time for granting or denying review in the above-entitled matter is hereby extended to
October 21, 2008.

PEOPLE v. ZANKICH
(SABRINA)

S165304 B190127/B194481 Second Appellate District, Div. 5

The time for granting or denying review in the above-entitled matter is hereby extended to
October 20, 2008.

HARSCO CORPORATION v.
KIEWIT PACIFIC COMPANY

S165305 A113230 First Appellate District, Div. 2

The time for granting or denying review in the above-entitled matter is hereby extended to
October 20, 2008.

COOPER (CLAUDE) v.
STANTEN (STEVEN A.)

S165325 C054350 Third Appellate District

The time for granting or denying review in the above-entitled matter is hereby extended to
October 21, 2008.

PEOPLE v. TALAMANTES
(MARCO ANTHONY)

S165334 G038238 Fourth Appellate District, Div. 3 **PEOPLE v. BALINT (JAMIE ALLEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 21, 2008.

S165414 B199229 Second Appellate District, Div. 4 **PEOPLE v. HALL (NATHAN)**
The time for granting or denying review in the above-entitled matter is hereby extended to October 23, 2008.

S165425 D048882 Fourth Appellate District, Div. 1 **RED LIGHT PHOTO ENFORCEMENT CASES, IN RE**

The time for granting or denying review in the above-entitled matter is hereby extended to October 21, 2008.

S025520 **PEOPLE v. WALDON (BILLY RAY)**

Extension of time granted

Good cause appearing, and based upon counsel Supervising Deputy State Public Defender Wilbur H. Haines III's representation that he anticipates filing the appellant's opening brief by July 2009, counsel's request for an extension of time in which to file that brief is granted to November 14, 2008. After that date, only five further extensions totaling about 260 additional days are contemplated.

S045696 **PEOPLE v. GARCIA (RANDY EUGENE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Peter R. Silten's representation that he anticipates filing the appellant's reply brief by June 30, 2009, counsel's request for an extension of time in which to file that brief is granted to November 18, 2008. After that date, only four further extensions totaling about 224 additional days are contemplated.

S058019**PEOPLE v. CONTRERAS
(GEORGE LOPEZ)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Christina Hitomi's representation that she anticipates filing the respondent's brief by January 31, 2009, counsel's request for an extension of time in which to file that brief is granted to November 17, 2008. After that date, only one further extension totaling about 75 additional days is contemplated.

S066940**PEOPLE v. CLARK
(WILLIAM CLINTON)**

Extension of time granted

Good cause appearing, and based upon counsel Peter Giannini's representation that he anticipates filing the appellant's reply brief by January 31, 2009, counsel's request for an extension of time in which to file that brief is granted to November 12, 2008. After that date, only two further extensions totaling about 80 additional days are contemplated.

S077009**PEOPLE v. CARRASCO
(ROBERT)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Roberta L. Davis's representation that she anticipates filing the respondent's brief by November 14, 2008, counsel's request for an extension of time in which to file that brief is granted to November 14, 2008. After that date, no further extension is contemplated.

S078895**PEOPLE v. SIVONGXXAY
(VAENE)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Wilbur H. Haines III's representation that he anticipates filing the appellant's opening brief by December 1, 2009, counsel's request for an extension of time in which to file that brief is granted to November 7, 2008. After that date, only seven further extensions totaling about 390 additional days are contemplated.

S092240**PEOPLE v. BOYCE (KEVIN DEWAYN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Douglas Ward's representation that he anticipates filing the appellant's opening brief by March 2, 2009, counsel's request for an extension of time in which to file that brief is granted to November 17, 2008. After that date, only two further extensions totaling about 105 additional days are contemplated.

S092410**PEOPLE v. NIEVES (SANDI DAWN)**

Extension of time granted

Good cause appearing, and based upon counsel Amitai Schwartz's representation that he anticipates filing the appellant's opening brief by December 15, 2008, counsel's request for an extension of time in which to file that brief is granted to November 25, 2008. After that date, only one further extension totaling about 20 additional days is contemplated.

S097668**PEOPLE v. SHERMANTINE, JR., (WESLEY HOWARD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 19, 2008.

S113653**PEOPLE v. HOYT (RYAN JAMES)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 14, 2008.

S121365**SNOW (PRENTICE JUAN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Ellen Birnbaum Kehr's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by December 1, 2008, counsel's request for an extension of time in which to file that document is granted to November 10, 2008. After that date, only one further extension totaling about 20 additional days is contemplated.

S132646**JONES (MICHAEL LAMONT)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Joseph A. Trigilio's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by November 14, 2008, counsel's request for an extension of time in which to file that document is granted to November 14, 2008. After that date, no further extension is contemplated.

S141320**ROBINSON (JAMES) ON H.C.**

Extension of time granted

Petitioner's request for relief from default is granted.

Good cause appearing, and based upon counsel Jeffrey S. Ross's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by March 6, 2009, counsel's request for an extension of time in which to file that document is granted to November 10, 2008. After that date, only two further extensions totaling about 116 additional days are contemplated.

S149752**ROBY (CHARLENE J.) v.
MCKESSON HBOC**

Extension of time granted

On application for a mutual four (4) day extension of time, it is ordered that the time for all parties to serve and file their respective response briefs to the amici curiae briefs is extended to September 22, 2008.

S153902**PARSON (RICHARD R.) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Pamala Sayasane's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by November 21, 2008, counsel's request for an extension of time in which to file that document is granted to November 21, 2008. After that date, no further extension is contemplated.

S157341 D049251 Fourth Appellate District, Div. 1 **LEXIN (CATHY) v. S.C.
(PEOPLE)**

Extension of time granted

The application of real party in interest and good cause appearing, it is ordered that the time to serve and file the single response to amicus curiae briefs is extended October 10, 2008.

S160814 **VIRGIL (LESTER WAYNE)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Erika D. Jackson's representation that she anticipates filing the informal response by December 5, 2008, counsel's request for an extension of time in which to file that document is granted to November 10, 2008. After that date, only one further extension totaling about 25 additional days is contemplated.

S162508 **ALLEN (MICHAEL
DAMONE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Gary A. Lieberman's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by December 8, 2008, counsel's request for an extension of time in which to file that document is granted to November 10, 2008. After that date, only one further extension totaling about 30 additional days is contemplated.

S163273 C054365 Third Appellate District **PEOPLE v. CORREA
(VICTOR)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 17, 2008.

S164692 A115223 First Appellate District, Div. 2 **MCCARTHER (KIMBERLY)
v. PACIFIC TELESIS GROUP**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to November 18, 2008. No further extensions are contemplated.

S049741**PEOPLE v. SUFF (WILLIAM
LESTER)**

Substitution of counsel ordered

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant William Lester Suff, filed July 11, 2008 (supplemental supporting declaration filed Aug. 12, 2008), is granted.

The order appointing the State Public Defender as appellate counsel of record for appellant William Lester Suff, filed March 29, 2000, is hereby vacated.

Jeffrey J. Gale is hereby appointed as counsel of record to represent appellant William Lester Suff for the direct appeal in the above automatic appeal now pending in this court.

S060803**PEOPLE v. MUNGIA (JOHN)**

Withdrawal of counsel allowed by order

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant John Mungia, filed July 11, 2008 (supplemental supporting declaration filed Aug. 12, 2008), is granted.

The order appointing the State Public Defender as appellate counsel of record for appellant John Mungia, filed July 30, 2001, is hereby vacated.

Jeffrey J. Gale is hereby appointed as counsel of record to represent appellant John Mungia for the direct appeal in the above automatic appeal now pending in this court.

S076169**PEOPLE v. PARKER
(GERALD)**

Substitution of counsel ordered

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant Gerald Parker, filed July 11, 2008, (supplemental supporting declaration filed Aug. 12, 2008), is granted.

The order appointing the State Public Defender as appellate counsel of record for appellant Gerald Parker, filed August 25, 2004, is hereby vacated.

Jeffrey J. Gale is hereby appointed as counsel of record to represent appellant Gerald Parker for the direct appeal in the above automatic appeal now pending in this court.

S097558**PEOPLE v. GARTON (TODD
JESSE)**

Substitution of counsel ordered

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant Todd Jesse Garton, filed July 11, 2008, (supplemental supporting declaration filed Aug. 12, 2008), is granted.

The order appointing the State Public Defender as appellate counsel of record for appellant Todd Jesse Garton, filed December 19, 2006, is hereby vacated.

Jeffrey J. Gale is hereby appointed as counsel of record to represent appellant Todd Jesse Garton for the direct appeal in the above automatic appeal.

S166058**WEIS ON RESIGNATION**

Voluntary resignation accepted

The voluntary resignation of LAURA VISSER WEIS, State Bar No. 127412, as a member of the State Bar of California is accepted.

S166059**VANGUTMAN ON
RESIGNATION**

Voluntary resignation accepted

The voluntary resignation of ROBERT VANGUTMAN, State Bar No. 54721, as a member of the State Bar of California is accepted.

S166060**SHEAHAN, JR., ON
RESIGNATION**

Voluntary resignation accepted

The voluntary resignation of DANIEL R. SHEAHAN, JR., State Bar No. 34346, as a member of the State Bar of California is accepted.

S166061**RYEOM ON RESIGNATION**

Voluntary resignation accepted

The voluntary resignation of RAYMOND HYUNGSUK RYEOM, State Bar No. 172341, as a member of the State Bar of California is accepted.

S166062**ROGALA ON RESIGNATION**

Voluntary resignation accepted

The voluntary resignation of CAROL ANN ROGALA, State Bar No. 155908, as a member of the State Bar of California is accepted.

S166063

RODE ON RESIGNATION

Voluntary resignation accepted

The voluntary resignation of ARNE ROBERT RODE, State Bar No. 73996, as a member of the State Bar of California is accepted.

S166699

BREWER ON RESIGNATION

Voluntary resignation accepted

The voluntary resignation of LESLIE LEE BREWER, State Bar No. 117582, as a member of the State Bar of California is accepted.

S166700

HENDERSON ON RESIGNATION

Voluntary resignation accepted

The voluntary resignation of FERGUS HENDERSON, State Bar No. 68999, as a member of the State Bar of California is accepted.

S166701

KURIMAY ON RESIGNATION

Voluntary resignation accepted

The voluntary resignation of WILLIAM COLEMAN KURIMAY, State Bar No. 137795, as a member of the State Bar of California is accepted.

S166702

LITCH ON RESIGNATION

Voluntary resignation accepted

The voluntary resignation of ERICH JONATHAN LITCH, State Bar No. 192692, as a member of the State Bar of California is accepted.

S166703

**MEHRINGER ON
RESIGNATION**

Voluntary resignation accepted

The voluntary resignation of REBECCA PIHL MEHRINGER, State Bar No. 138513, as a member of the State Bar of California is accepted.

S166704

RAU ON RESIGNATION

Voluntary resignation accepted

The voluntary resignation of RONALD BENJAMIN RAU, State Bar No. 51386, as a member of the State Bar of California is accepted.

SAN FRANCISCO

SEPTEMBER 17, 2008

1964

S166705

STUART ON RESIGNATION

Voluntary resignation accepted

The voluntary resignation of JAMES MACMAHON STUART, State Bar No. 43127, as a member of the State Bar of California is accepted.

S166706

WALSH ON RESIGNATION

Voluntary resignation accepted

The voluntary resignation of JANET CHRISTINE WALSH, State Bar No. 187573, as a member of the State Bar of California is accepted.

